

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

HAROLD HILLIARD,

Plaintiff,

VS.

OAK GROVE RESOURCES LLC

d/b/a OAK GROVE MINE,

Defendant.

Case No. 2:10-cv-01193-CLS

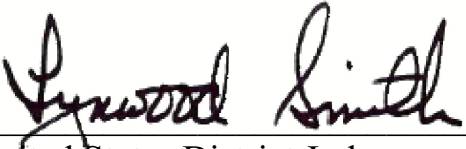
MEMORANDUM OPINION

On September 15, 2011, the magistrate judge's report and recommendation was entered and the parties were allowed therein fourteen (14) days in which to file objections to the recommendations made by the magistrate judge. No objections have been filed by plaintiff or defendant.

After careful consideration of the record in this case and the magistrate judge's report and recommendation, the court hereby ADOPTS the report of the magistrate judge. The court further ACCEPTS the recommendations of the magistrate judge that defendant's Motion to Dismiss Or, in the Alternative, For Sanctions be granted, that defendant's Motion for Sanctions Pursuant to Federal Rule of Civil Procedure 11 be denied, and that defendant's Motion for Summary Judgment be deemed moot.

A separate order in conformity with this Memorandum Opinion will be entered contemporaneously herewith.

DONE this 2nd day of November, 2011.


United States District Judge